

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

NICHOLAS S. BACON,

Plaintiff,

v.

SERGEANT MARTINEZ, et al.

Defendants.

CIVIL ACTION NO.: 4:19-cv-155

ORDER

After a careful, *de novo* review of the entire record, the Court concurs with the Magistrate Judge's Report and Recommendation, (doc. 17), to which Plaintiff filed objections, (doc. 22).

The Court finds Plaintiff's objections unavailing and a misinterpretation of the Magistrate Judge's Report and Recommendation. Plaintiff objects on the grounds of exhaustion, service, and by stating he showed actual injury in his amended complaint to establish a claim for excessive force. (*Id.*) However, the Magistrate Judge's Report and Recommendation did not dismiss any of Plaintiff's claims on these enumerated grounds, (doc. 17).

Accordingly, the Court **OVERRULES** Plaintiff's objections, **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court, and **DISMISSES** Defendant Liberty County Jail authorities from this case, **DISMISSES** Plaintiff's claims against Sergeant Martinez and Officer LaBarre in their official capacities, and **DISMISSES** Plaintiff's claims

for ADA violations. The case will proceed against Defendants Sergeant Martinez and Officer LaBarre as described in the Magistrate Judge's December 20, 2021 Order. (See doc. 19.)

SO ORDERED, this 26th day of January, 2022.



R. STAN BAKER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA